

MINUTES OF THE COMMISSION FOR HUMAN RIGHTS-July 28, 2005

A meeting of the Commission for Human Rights was held in the agency conference room on Thursday, July 28, 2005. Present at the meeting were Commissioners Dr. John Susa, Chair, Camille Vella-Wilkinson and Alton Wiley, Jr. Absent were Commissioner Jean Stover, Alberto Cardona, Randolph Lowman and Iraida Williams. The meeting began at 9:15 am.

A motion to accept the minutes of June 30, 2005 was made by Alton Wiley, Jr. The motion was seconded by Commissioner Vella-Wilkinson and carried.

**Status Report: Michael D. Évora, Executive Director-
A written report was handed out - Attached
new information is in bold print**

Case Production Report - Attached

Aged Case Report - Attached

Outreach Report - Attached

STATUS REPORT - COMMISSIONERS-

GENERAL STATUS: No report at this time.

OUTREACH: Commissioner Susa reported that he passed the Sexual Harassment Training. Commissioner Vella-Wilkinson reported that Sexual Harassment training will be given by Life Span during their cultural awareness training in September.

STATUS REPORT - LEGAL COUNSEL, Francis A. Gaschen

LITIGATION: report attached. New information is in bold print

Commissioner Meeting -2- July 28, 2005

LEGISLATION: No discussion at this time.

REGULATIONS: No action at this time.

HEARING SCHEDULE: Discussed

DECISIONS: No discussion

The meeting adjourned at 10:00 a.m. The next regular meeting of the Commission is scheduled for Thursday, September 29, 2005 at 9:00 am.

Respectfully Submitted,

**Michael D. Évora
Executive Director**

**Notes taken by: B. Ross
EXECUTIVE DIRECTOR'S
REPORT TO COMMISSIONERS
JULY 28, 2005**

I. BUDGET

Per the 2005 Revised Appropriations bill*:

FY 2005 FY 2005 FY 2006

(Enacted) (Revised) (Enacted)

State 984,444 987,583 979,397

Fed. 239,300 213,328 269,705

Total 1,223,744 1,200,911 1,249,102

Compare FY 2004 Actual: 1,101,287

***The Revised Appropriations bill also seeks to amend the section of the FEPA entitled “Compensation of commission members – Reappointment” to provide that “Members of the commission shall not be compensated for the discharge of their official duties but shall be entitled to the reimbursement of expenses actually and necessarily incurred by them in the performance of their duties.”**

According to a July 15 memo from the Executive Director of the State Budget Office: 1) the Commission’s FY 2007 budget submission “will not be subject to a target reduction which is assigned at ten percent for larger agencies”; 2) the Commission’s FY 2007 target base is \$1,058,230.

II. FEDERAL CONTRACTS

EEOC – The FY 2005 contract is for 328 cases. As of 6/30/05, according to EEOC Project Director Marlene Toribio, we had closed

249 co-filed cases for EEOC FY 2005; we must close 79 by 9/30/05 to complete the contract. Since Marlene and I feel this is a realistic goal, we have not requested a contract modification.

HUD – For FY 05, according to HUD Project Director Angela Lovegrove, we took in 32 new housing charges, 27 of which are co-filed with HUD. Within this same time period, we processed 35 housing charges, 31 of which were co-filed with HUD.

III. PERSONNEL

Investigator Stephen Strycharz has accepted a position with the state's Office of Child Support Services as a Child Support Enforcement Agent I. He will begin in this new position in September.

We wish Steve success and happiness as he leaves the Commission and continues his service to the public.

IV. OUTREACH – Refer to attached report.

V. GENERAL STATUS

●Meetings with staff members – I continue to meet with individual investigative staff members on a monthly basis to monitor case production.

●Case Closures – Refer to attached report. Statistics for FY 05

reveal that, despite our staffing shortages, we processed 579 cases as compared to 582 for FY 2004.

• Aged Cases – Refer to attached report. Progress continues to be made on decreasing the aged caseload. The Commission successfully reduced the aged caseload by 81.2% (from 85 to 16 cases) in EEOC FY 04. As of June 30, there were NO AGED CASES in investigation; the number of such cases in the hearing stage continues to fall.

• Commissioner (Re)Appointments – No new information to report.

• Overall Case Inventory – The Commission had over 1000 cases in its inventory at the end of FY 98. That number has steadily decreased. The Commission ended FY 2004 with 602 cases in inventory. We ended FY 05 with 382 cases in inventory.

- **Miscellaneous**

- The Commission has been selected as one of three agencies to conduct a study of “maximum target caseloads” with FY 2006 as the study period. This selection was made pursuant to a Council 94 conciliator recommendation which the State adopted. The other two agencies participating in the study are the Dept. of Human Services and the Dept. of Elderly Affairs.

-The Performance Audit by the Department of Admin./Bureau of Audits has been completed. Mary Murphy, who conducted the audit, has indicated that she is in the process of finalizing the report based on input from her superiors. We should receive a draft shortly.

-New computers – Thanks to the diligence of Investigator Jason Flanders, the conversion is complete.

-Two grievances were filed against the Commission related to 1) interpreting services provided by staff, and 2) payment of Union dues by temporary employees (Jay Flanders and Susan Pracht). Both grievances were denied after a third-level hearing (held on October 19). The Union has appealed the denial of the second grievance; arbitration is scheduled to be held in October.

Respectfully submitted,

Michael D. Évora

Executive Director

Attachments

RHODE ISLAND COMMISSION FOR HUMAN RIGHTS

AGED CASE REPORT*

(EEOC FY 2003)

DATE TOTAL CASES STAYED CASES TOTAL LESS STAYED

11/25/02 158 9 149

12/20/02 148 9 139

1/24/03 139 9 130

2/24/03 125 9 116

3/25/03 115 9 106

4/22/03 105 9 96

5/23/03 93 9 84

6/25/03 86 9 77

7/23/03 82 9 73

8/28/03 69 9 60

9/23/03 66 9 57

9/30/03 63 9 54

***Figures reflect open cases filed between July 1, 1987 and June 30, 1998**

Aged case load reduced in EEOC FY 2003 by 63.8%

RHODE ISLAND COMMISSION FOR HUMAN RIGHTS

AGED CASE REPORT*

(EEOC FY 2004)

DATE TOTAL CASES STAYED CASES TOTAL LESS STAYED

10/28/03 85 12 73

11/28/03 71 12 59

12/26/03 62 12 50

(32 investigation;

18 hearing/conciliation)

1/28/04 54 12 42

(27 investigation;

15 hearing/conciliation)

2/25/04 48 12 36

(20 investigation,

16 hearing/conciliation)

3/19/04 44 12 32

(18 investigation,

14 hearing/conciliation)

4/26/04 40 12 28

(15 investigation,

13 hearing/conciliation)

5/26/04 39 12 27

(15 investigation,

12 hearing/conciliation)

6/22/04 34 9 25

**(13 investigation,
12 hearing/conciliation)**

7/9/04 28 9 19

**(9 investigation,
10 hearing/conciliation)**

7/28/04 28 9 19

**(9 investigation,
10 hearing/conciliation)**

9/23/04 16 1 15

**(5 investigation,
10 hearing/conciliation)**

***Figures reflect open cases filed between July 1, 1987 and June 30,
1999**

Aged case load reduced in EEOC FY 2004 by 81.2%

AGED CASE REPORT*

(EEOC FY 2005)

DATE TOTAL CASES STAYED CASES TOTAL LESS STAYED

10/12/04 26 2 24

**(8 investigation,
16 hearing/conciliation)**

11/18/04 21 2 19

**(7 investigation,
12 hearing/conciliation)**

12/7/04 18 2 16

**(5 investigation,
11 hearing/conciliation)**

1/7/05 17 2 15

**(5 investigation,
10 hearing/conciliation)**

2/8/05 14 1 13

**(4 investigation,
9 hearing/conciliation)**

3/4/05 13 1 12

**(3 investigation,
9 hearing/conciliation)**

4/7/05 12 1 11

**(2 investigation,
9 hearing/conciliation)**

5/6/05 11 1 10

**(1 investigation,
9 hearing/conciliation)**

6/3/05 11 1 10

**(1 investigation,
9 hearing/conciliation)**

7/5/05 7 1 6

(0 investigation,

6 hearing/conciliation)

8/

9/

***Figures reflect open cases filed on or before September 30, 2000**

Aged case load reduced in EEOC FY 2005 by XX %